IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1785 OF 2007

M/s. Gandhi & Sons ...Petitioner

V/s.

Janakalyan Sahakari Bank Ltd & Ors. ...Respondents

Ms.Deepali Matwankar i/b. J.N. Pawar for Petitioner.
Mr.Swapnil Bangur & Ms.Meenakshi Mhapankar i/b V. Deshpande & Co. for Respondent No.1.

CORAM : V.M. KANADE, J.
DATED : 5th JULY, 2007.

P.C:-

1. Learned counsel appearing on behalf of Respondent No.1 has raised preliminary objection regarding maintainability of this writ petition. He submits that the Petitioner has an alternative remedy of challenging the impugned order for filing appeal U/s.97 of the said Act.

2. Learned counsel appearing on behalf of the Petitioner, therefore, seeks permission to withdraw this petition with liberty to file an appropriate proceeding before an appropriate authority. The Petition, therefore, is accordingly allowed to be withdrawn with liberty as prayed by the Petitioner. All contentions of both the parties are kept open.

V.M. KANADE, J.